



RCE/3738

PTO/SB/30 (10-01)

**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Address to:
Commissioner for Patents
Box RCE
Washington, DC 20231

Application Number	09/494,240
Filing Date	01/30/2000
First Named Inventor	Pope
Art Unit	3738
Examiner Name	Pelligrino, Brian E.
Attorney Docket Number	05261.015/6056

RECEIVED
MAR 13 2003
TECHNOLOGY CENTER R3700
Reg. R.C.F.
S. Byrce
3/17/03

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114**

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other _____

3. **Fees**

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. _____
- i. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other _____
- b. ☒ Check in the amount of \$ 580.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Daniel P. McCarthy	Registration No. (Attorney/Agent)	36,600
Signature		Date	03/03/03

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Daniel P. McCarthy		
Signature		Date	03/03/03

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors: Pope et al.
Title: Diamond-Surfaced Femoral Head for Use in A Prosthetic Joint
Filed: January 30, 2000
Serial No.: 09/494,240
Docket: 6056 P
Examiner: Pellegrino, Brian E.
GAU: 3738

Assistant Commissioner for Patents
Washington, DC 20231

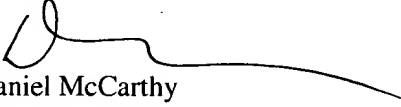
Certificate of Mailing

Honorable Assistant Commissioner:

I hereby certify that the attached Response to Office Action is being submitted via First Class Mail with the United States Postal Service in an envelope with sufficient postage on March 3, 2003, the envelope being addressed to: Assistant Commissioner for Patents, Washington, D. C. 20231.

Please charge any additional required fees (beyond the enclosed check) to our Deposit Account No. 50-0581.

Respectfully submitted this 3rd day of March 2003.



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Washington, DC 20231

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#26
Response
A. Bryce
3/17/03

Response to Office Action

Honorable Assistant Commissioner:

Applicants submit this paper in response to the Office Action mailed October 3, 2002, in connection with the above-referenced application. Applicants intend this paper to be fully responsive to that Office Action, and respectfully request entry of the following amendments and favorable reconsideration of the pending claims.